

1 ALEXANDER M. WEYAND (SBN 108147)
2 aveyand@wynlaw.com
3 PAUL P. DeANGELIS (SBN 193913)
4 pdeangelis@wynlaw.com
5 REBECCA M. HOBERG (SBN 224086)
6 rhoberg@wynlaw.com
WEYAND LAW FIRM, A Professional Corporation
531 Howard Street, First Floor
San Francisco, CA 94105
Telephone: (415) 536-2800
Facsimile: (415) 536-2818

7 Attorneys for Defendants PATRICK SILVAGNIA
and DAVID LEE

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

14 CAREY F. DALY,
15 Plaintiff,
16 v.
17 PEARL SPIRITS, INC., a California
18 corporation, PATRICK SILVAGNIA, DAVID
19 LEE, LUXCO, INC., a Missouri corporation and
DOES 1-100 inclusive,
Defendants.

Case No. 4:08-cv-04398-PJH

**STIPULATION AND ORDER TO
FURTHER EXTEND TIME FOR
DEFENDANTS TO SEEK FEES AND
COSTS**

The parties, Plaintiff CAREY F. DALY and Defendants PATRICK SILVAGNIA, DAVID LEE, and PEARL SPIRITS, INC., by and through their counsel of record, hereby stipulate and agree to extend the time for Defendants to file (1) a motion seeking attorneys fees and expenses, pursuant to Rule 37(c)(2) and Rule 11 of the Federal Rules of Civil Procedure, or under contract as a prevailing party, and (2) a bill of costs pursuant to Civil Local Rule 54-1.

Pursuant to the previous Stipulation and Order submitted by the parties and entered by the Court on December 8, 2009, the current deadline for the above motions and bill of costs is January 8, 2010.

The parties are currently attempting to reach an informal resolution of certain matters,

1 including the resolution of fees and costs. An extension of the above deadline is necessary and
2 desirable to allow further time for the parties to attempt to reach such a resolution. The parties
3 agree and stipulate that the time to file any such motion or bill of costs shall be extended to and
4 including January 18, 2010.

5 **SO STIPULATED.**

6 Dated: January 7, 2010

WEYAND LAW FIRM, P.C.

7
8 /s/ Alexander M. Weyand
9 Alexander M. Weyand
Attorneys for Defendants PATRICK SILVAGNIA
and DAVID LEE

10 Dated: January 7, 2010

11 LAW OFFICES OF ERIC C. SHAW

12
13 /s/ Eric C. Shaw
14 Eric C. Shaw
15 Attorneys for Defendant PEARL SPIRITS, INC.

16 Dated: January 7, 2010

17 LAW OFFICES OF PAUL J. STEINER

18 /s/ Paul J. Steiner
19 Paul J. Steiner
20 Attorneys for Plaintiff CAREY F. DALY,
21 individually and as assignee

22 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

23 Dated: 1/13/10

24 Hon. Phyllis J. Hamilton

